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BY: Judi E. Morgan

DATE: October 22, 2001

#6/13

PATENT

1/16/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of
Kiyoshi Taguchi, et al.

: Group Art Unit: 1754

Conf. No.: 8909

Appln. No.: 09/549,918

: Examiner: W. Langel

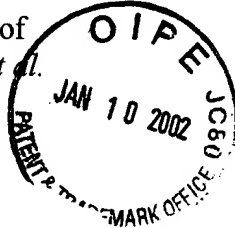
Filed: April 14, 2000

For: Hydrogen Refinement Apparatus

: Attorney Docket
: No. 10059-350
: (P22607-01)

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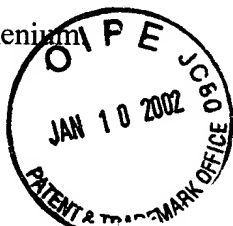
RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the first Office Action mailed September 27, 2001 (Paper No. 5) in the above-identified patent application. This response is being timely filed before October 27, 2001.

The Examiner has required restriction between the claims of Group I (Claims 2-6) which are drawn to a hydrogen refinement apparatus, allegedly classified in class 422, subclass 190 and the claims of Group II (Claims 7-9) which are drawn to a method for carrying out the water-gas shift reaction, allegedly classified in class 423, subclass 656.

The Examiner has asserted that Claim 1 links Group I and Group II and that the restriction requirement will be withdrawn if Claim 1 is allowed. Furthermore, the Examiner takes the position that the inventions of Group II and Group I are related as process and apparatus for its practice, and that the inventions are distinct from each other. The Examiner asserts that the claimed process of Group II can be practiced by another and materially different

apparatus, such as one in which the BET specific surface area of the metal oxide carrier is greater than 250 m²/g, one that does not include the specific metal oxides as recited in Claim 3, one that does not contain cerium or zirconium, or one that does not include palladium, rhodium or ruthenium.



Provisional Election

Although applicant does not necessarily agree with the restriction requirement or the Examiner's arguments in support thereof, applicant provisionally elects Group I (Claims 2-6) for initial examination in this application. An early examination on the merits of at least linking Claim 1 and elected Claims 2-6 is respectfully solicited.

Respectfully submitted,

Kiyoshi Taguchi, *et al.*

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